

With the Council of State

circumstances would have produced one. Quotations of stocks and of real estate are not fluctuating as they were a year ago. It does have a reassuring effect in this country to know that there is a surplus in the treasury, with the assurance that bondholders will get their money. When we make a conservative estimate the Council of State should amend it to make as good an appropriation bill as possible, but it is my duty to caution you. Again we have to go to President McKinley for approval. If we go to him with a bill ahead of our estimates he would naturally ask for the reasons, and it would take some argument to convince him we were on the safe side. But if we present a reasonable argument based on facts, it would give the bill strength. Everything asked of the Government at Washington so far has been granted, and they believe that we are dealing fairly with them. They are very anxious to make no mistake. We do not realize their anxiety on our account. It means a vote—thousands of votes. The anti-expansionists would jump at a chance to show that our affairs are not being well managed. Since becoming an American I am conscious that we are coming nearer and nearer to Washington. While I do not say this for the benefit of President McKinley or his party, I think it is right to take his welfare and that of the Republican party into consideration.

Mr. Jones, while sympathizing with Mr. Gear's views, quoted estimates to show that the increase proposed was not necessary. As a compromise, as it was said politics was a system of compromise, he moved the item pass at \$382,529.50.

Mr. Gear said Mr. Jones had got hold of the wrong estimates. He moved the item pass as recommended by the committee.

Mr. Young did not wish to be misunderstood. The committee had adopted his original estimates, which were for \$1,000,000, but all the work could not be done in one period. He could not go to the other islands, and was rather disappointed at receiving scarcely any requests from there. Only one letter had been received from Hilo, written by J. A. Scott, asking for money to improve the principal business streets.

Mr. Isenberg apologized to the Minister for Kaula. None of the people on the other islands knew at first what the Council was going to do. When he found out he wrote to Kaula and asked them to hold meetings and state their wants, keeping them down as low as possible.

Mr. Ka-ne complained that the committee gave no particulars.

Mr. Young said the whole figures were in hand. Besides what was allotted to streets having the most spent anywhere else required. He believed the present road supervisor would give them satisfaction in the streets he would make.

Mr. Ka-ne caused a laugh by moving to refer the item to the Judiciary committee.

The item passed as recommended by the committee, and the Council then adjourned.

Thursday, April 5.

The following members were present at the Council of State meeting yesterday afternoon: President Dole, Ministers E. A. Mott-Smith, Young, Damon and Cooper; Counsellors Kennedy, Nott, Gear, Jones, Robinson, Kaulukou, Isenberg, Achi, Allen, Gonsalves, and Robertson.

Mr. Jones presented the report of the special committee on Act No. 7, for expenses of the Court of Claims, the gist of which was given in yesterday's Bulletin.

After some discussion, the Executive wanted time for consideration, the bill with the report was made the special order for Friday.

Mr. Young reported on the claim of John K. Prendergast for two successive chairmen of the Koolauloa road board, in 1891 and 1892, amounting to \$295.75. The claim was a just one but succeeding road boards had declined to pay the money out of road taxes for their terms. He recommended the insertion of an item to pay the bills. Adopted.

The consideration of items in Act No. 2 was resumed with results as follows:

To complete Nuuanu road to 1 uli, \$17,000.

Mr. Jones asked who made the estimate, and, being told the Superintendent of Public Works, said he was one who had advanced money to complete this road. He asked the Superintendent what it would cost, and he assured him he could do the work for \$14,000. Now, with the unpaid bills appropriated and this item, they were asked for \$23,565.18, or 60 per cent more than was assured him. He would vote for the item but at the same time advised the Minister to look around for another Superintendent of Public Works.

Mr. Isenberg—Kokua nui (very much agreed.)

The item passed.

Waialae and Koko Head, \$2500.

Ewa and Waianae: Kipapa bridge and approaches, \$1000.

Waialua: Homestead road and bridge, \$2,000.

Here an item was inserted: Roads and bridges, Kaula: Hanalei, \$5,000.

Road Damages. All islands, unpaid bills, \$773.50; new, \$125,000, committee recommends \$225,000 which carried.

Electric light Honolulu unpaid bills, \$2729.88.

Lighting streets other than Honolulu and Hilo unpaid bills, \$11,250.

Electric light Honolulu, \$12,000.

Gasoline plant 200 h. p. for electric station, Nuuanu, \$12,000. Referred to Attorney General as to right in view of Hawaiian Electric Co.'s franchise.

Running expenses laundries, \$3000.

Twelve ditch, \$1200.

Addition to postoffice, Honolulu, \$13,000.

Mr. Jones asked what's the use, if the United States takes over the post-

office within three months. Mr. Young answered if such does not happen postal business will be in a bad box.

The item passed.

New government dispensary and emergency hospital, \$25,000.

Committee recommends \$36,000 for Insane Asylum buildings.

Mr. Isenberg had been out there that morning. There are 134 people there, and the buildings falling away.

Mr. Young supported the item and it passed.

Telephone from North Kona to South Kona, \$2500.

Committee recommends \$1200 for telephone from Hilo courthouse to Puna on condition that residents provide a like amount and Government have free use of two instruments for five years. Carried.

Board of Health. Committee recommends \$2753.33 for unpaid bills, giving items.

Kalaupapa store, \$20,000. Committee recommends an additional item of \$551.33 for settlement of Kulekua claims at Kalaupapa. Carried.

Removing Garbage. Committee recommends \$200 for unpaid bills. Carried.

Purchase 12 odorless excavators, \$12,000; 2 sewerage scows, \$5,000; 3 garbage carts, \$450; 4 carts dry earth system \$600; 31 head live stock, \$6500; hay and grain, \$13,000; new stables, \$4,000; total, \$16,550.

Mr. Achi criticized items for buying mules and fodder. He moved an amendment to insert the words "not to exceed" before the \$4500 for live stock.

Mr. Isenberg said if Mr. Achi would undertake to keep animals for what he said, the speaker and other stock owners would be glad to turn the animals over to him. Powerful mules would be needed for the heavy excavators.

The amendment was lost and the item passed.

Purchase of steam vessel for towing sewerage scows, \$20,000; running expenses same, \$8,000; running expenses garbage crematory, \$4500; committee recommending \$8,000, carried; segregation, support and treatment of lepers, \$12,000; total, \$115,050.

Committee recommends the following items: Rent general detention camp grounds, Kalihi, \$1250; detention camp for whites, \$90; detention camp No. 2, \$750; care of detention camps, Kalihi, \$900; running expenses of sewerage plant, \$9600; segregation, support and treatment of lepers, unpaid bills, \$286.43; total, \$13,912.43.

Mr. Mott-Smith moved to amend a clerical error in the Education items, making unpaid bills of book fund \$140.50 instead of \$98.40. Carried.

Mr. Gear moved to refer sections 2, 3, 4, 5 and 6 of Act 2 to the Judiciary committee for revision and report. Carried.

Act 3 was taken up and Interior items passed as follows:

Salary of stenographer, typewriter and recording clerk, \$3,000.

Committee recommends \$840 for pay of poundmaster, Honolulu, the fees having been insufficient. Carried.

Forests and Nurseries: Pay of laborers, Makiki and Nuuanu, \$1608; new payroll nurseries, \$264.

Honolulu fire department, regular payroll, \$1200. Committee recommends additions, partly for proposed new hose companies, making the item \$23,250. Carried.

Committee recommends an urgent request of Fire Commissioner, \$2425 for additional pay of firemen at sanitary fires. Carried.

Bureau of Survey: Salary of draftsman, \$300; salary of meteorologist, \$2,400.

Bureau of Conveyances: Salary of 2 copyists at \$50 a month, \$2400. Committee recommends \$4730, as Registrar says the work will be greater on account of disallowance of book typewriters. Carried.

Bureau of Water Works: Salary of first assistant clerk, \$2100; salary of superintendent Wailuku and Kahuiki water works, \$210.

Bureau of Public Works: Salary of draftsman and assistant superintendent, \$3600; pay of light-house keepers unpaid 1899, \$15, committee amendment to \$539 carried.

Committee recommends these new items for Board of Health: City sanitary officer, \$1200; bacteriologist, \$1,800; executive officer, \$5400; general expenses, \$12,960; removing garbage payroll, \$59,940; total, \$86,100. Carried.

Committee recommends further \$1,200 for salary of a purchasing agent of the Board of Health.

Mr. Robertson asked what the agent would do for his salary in an ordinary time.

Mr. Gear for answer spoke of the large and varied purchases of the Board. The Board desired to have such an official, to make purchases instead of half a dozen officials. One reason was that with a physician as executive officer, and physicians not being supposed to be good business men, such an officer was desirable.

President Dole asked if most of the Board's supplies, in ordinary times, were not procured by advertisement.

Mr. Gear was not prepared to answer.

Mr. Kennedy supported the item.

Mr. Damon moved to defer the item for further information, speaking of the Board of Health being a government in itself. The President deemed this wise, and it carried.

Mr. Gear moved to consider the proposed new item to pay the claim of Henry Zerbe for arrears of salary as custom house appraiser in 1896-7. As the petition had not been returned from the Executive Council nobody present could state the amount. A motion to adjourn was lost. Mr. Kaulukou suggested that the Minister of Foreign Affairs was young enough to run upstairs for the petition. At least Mr. Gear moved to make the item read "not to exceed \$800," which carried.

At a few minutes to 5 o'clock the Council adjourned.

Friday, March 6.

Present at the Council of State yesterday were: President Dole, Ministers Mott-Smith, Young and Damon; Counsellors Isenberg, Achi, Allen, Kane, Robertson, Gonsalves, Nott, Gear, Jones, Robinson and Kaulukou.

The following resolution was introduced by Mr. Achi:

Resolved, That it is the sense of the Council of State that the Executive Orders of the President, published in regard to the Court of Claims, are unfair and unjust and must be changed.

Mr. Achi spoke at length in adverse criticism of the Order. He laid particular stress on the barring out of cashholders from the benefits of the Court of Claims. While believing the resolution ought to pass, he was willing to make it the order for a future day, so that the Government might have time to prepare their reply.

Mr. Gear seconded the motion and would favor making the resolution the special order for Friday afternoon for the following action on the report of the special committee on Act No. 7. He has been informed by a member of the Board of Health that in all probability there would be six thousand claims; and that the proceedings would occupy four or five years. That meant \$12,000 in attorney's fees besides the retaining fee of \$2500 on the Government side alone. The speaker was against the Court altogether, but if it was to go on he wanted its published regulations amended. If the Government was not to hold itself liable for judgments, the Court might be regarded as simply a piece of machinery started for the sake of seeing it running.

Mr. Young rebutted the excuses of the Attorney General for absence, and said he heartily approved of having the matter made a special order for tomorrow.

The President, in a conversational discussion with Mr. Gear, took exception to the statement that the Government held itself not liable. He claimed that the provision that the Court should fix the liability answered the objection.

The motion carried.

Mr. Damon brought up the matter of the item for a purchasing agent of the Board of Health, and Mr. Gear asked for another day to wait consideration by the Board that afternoon. Granted.

Act No. 4 was taken up being for expenditures under the loan bill of 1896, and items passed as below:

Interior Department: New wharf at Papihia, Naliuku and approaches, unpaid bills 1899, \$491.20.

Harbor Improvements, Honolulu, \$200,000, committee recommending \$300,000.

Mr. Young, in answer to Mr. Robertson, said the harbor belonged to the United States, but wharves and slips would belong to the local government. He mentioned some of the improvements contemplated, including a new wharf near the new iron works. If the improvements were not made the money would not be expended.

Mr. Jones thought they should keep in view the bill for the Territory of Hawaii, perhaps at that hour being finally voted upon by Congress. According to that bill they could not appropriate more than \$1,500,000 over the revenues for the previous period. It was not safe to make estimates on the basis of 100 per cent increase of taxes predicted by Mr. Gear the previous day.

Mr. Gear agreed that this bill should be kept within the bounds of loan funds available, but thought the other appropriation bills did not enter into the question. Funds for these depended on current receipts in the treasury, and if the money were not there it could not be expended.

Mr. Damon stated that all the unpaid bonds amounted to \$799,000 and, in answer to Mr. Jones, said if President McKinley approved of this Act he thereby sanctioned the sale of the bonds. Replying to Mr. Gear he said that some addition might be made to the \$799,000 when all accounts under the loan fund were balanced.

Mr. Jones felt that they were safe in voting all the amounts recommended by the committee, from the provision in the territorial bill to which he had alluded.

Mr. Gear then finding the question cleared up moved to pass the item as recommended by the committee. It was a matter of expending money if the funds were available.

Mr. Mott-Smith was reading a report of experts, Arthur Harrison and John Ouderkerk, on the Royal school building, with a view to informing the Council of additional items he desired inserted, when Mr. Kaulukou called him to order. The point was admitted, and the motion to pass the item at \$300,000 carried. The Minister of Public Instruction then proceeded, reading the report mentioned and another from O. P. Hapgood, architect, and moved to insert a new item:

New school building and premises, Royal school, Honolulu, \$75,000. Referred to Education committee.

Hilo wharves, \$29,000, committee recommending \$10,000, which carried.

Survey and soundings for harbor in Wailoa river, Hilo, \$2000.

Sewerage for Hilo, \$6,000, committee recommending \$50,000, which carried.

Mr. Young explained that the original item was intended only for investigation purposes.

Hilo custom house and postoffice, of stone or brick, \$14,000, committee recommending \$22,000.

Mr. Gear would move to insert a new item for a bonded warehouse if such was not included in this estimate.

Mr. Jones, on the item passing at \$22,000, moved to refer the matter of a bonded warehouse to committee. Carried.

Roads, Hawaii: Widening and extending Hilo street, \$10,000, committee recommending \$25,000, which carried; homestead road, Hilo, \$10,000, committee recommending \$20,000, which carried.

Committee recommended new item of \$25,000 for road from Kaunama to Olua, which carried.

Roads, Puna, to complete contracts, \$3,000, referred to \$7,000 on committee's report.

Roads, Kaula, \$22,000.

Roads, South Kona, \$2500, increased on committee's report to \$10,000.

Roads, North Kona, \$2,000, raised to \$6,000 on report of committee.

Roads, South Kohala, \$15,000.

Roads, North Kohala, \$10,000, raised to \$3500 on report.

Roads, Kaunakakai, \$10,000, increased to \$37,000.

Roads, North Hilo, \$36,000, increased to \$46,000.

Committee recommends new item of 10,000 for new bridge on Wailuku river. Carried.

Roads, Maui: Hana, \$25,000, raised to \$46,000; Makawao, \$10,000, increased to \$15,000, on report.

Mr. Jones noticed nothing for Wednesday at all.

Mr. Young was sorry to say he had no knowledge of any roads outside of Honolulu except from letters, having been unable to visit the other islands.

Mr. Damon said there was a large road tax, \$20,000, for Makawao.

Roads, Kaula, \$5000. Committee recommends to substitute the following:

Hanalei, \$5000; Kaula, \$5000; Lihue, \$2000; Koloa, \$5000; Aiea, \$3000, which carried.

Miscellaneous: Additions to water works, Honolulu, Kalihi pumping station, \$85,000. Mr. Achi moved to change name to Palama, as that was where the plant was situated. Mr. Gear did not see how the name could be changed now, since former appropriations had been under the name of Kalihi. Mr. Young agreed with this. Mr. Jones moved to insert the words, "or Palama," which carried as did the item.

Diamond Head reservoir and water pipe, \$16,000; filtration system, Nuuanu, \$60,000, committee recommending to substitute \$150,000 for additional reservoirs, as the first consideration should be to obtain water.

The President hoped before abandoning the item for filtration they should confer with the Board of Health, which he understood considered filtration a grave necessity of the public health.

Mr. Isenberg spoke of people paying water rates and getting little or no water. He believed in filtration, but they should get water first. What would the use be of a filter with no water in it. The other day he took a run up Nuuanu and saw one reservoir dry and the other with a few feet of water which looked green and fit only to be run into the sea.

Mr. Robertson counseled more deliberation over this item, moving adjournment. The prevalent sickness could hardly be charged to Nuuanu water, so few people got water from that system. It would seem rather that it was the artesian water needed filtration.

Mr. Jones, being dissatisfied on the Nuuanu system, testified to the lack of water and could see no use of a filter with nothing in it. He could not vote for a filter at present.

Mr. Mott-Smith preferred a little water filtered to much that was muddy.

Mr. Gear mentioned another item, following, of \$50,000 for addition to water pipe system, which was intended to convey artesian water to people on elevations now served with surface water from Nuuanu. With this carried out there would be less urgency for filtration.

Mr. Robertson recalled analyses of water made some time ago by a chemist, the results showing more deleterious properties in artesian than in surface water. The item mentioned by Mr. Gear besides opened up another serious question. It had appeared lately as if the underground water was falling low, and it was doubtful if it was wise to drain that source much more.

Mr. Isenberg again emphasized the necessity of relieving present scarcity, instancing the fact that he had not had a bath for five days.

The matter was deferred till today and the Council adjourned.

ACCIDENTS WILL HAPPEN

Man wasn't made to suffer, but accidents will happen, and to meet such cases, Nature designed the roots, herbs, gums and leaves for the healing of the nation. Nature's way to treat a cut, bruise or a burn, is to cleanse, draw and heal, and that's the way Kiekapoo Indian Salve acts—just as nature acts. It acts that way, because it is Nature's own remedy, compounded from materials gathered in Nature's infallible laboratory; unadulterated, pure and simple. The same ingredients found in Kiekapoo Indian Salve were in use for centuries before the Red Men divulged it to the Pale Face. They healed nations ages ago, they act the same today. Hobron Drug Co., agents for the Kiekapoo Indian Remedies.

Tuesday, April 3.

There was a large attendance at the annual meeting of the Y. M. C. A. last night. Before the general meeting the directors elected J. P. Cooke and Theo. Richards to succeed F. J. Lowrey and W. F. Frear, and C. H. Atherton for a second term. An amendment to the constitution makes the association hereafter elect the directors, who choose their own officers.

Geo. A. Howard, S. P. Perry and Dr. Burgess are a committee to have charge of the anniversary meeting on the 19th inst.

S. P. Perry reported four Bible classes with a special one at Camp McKinley.

The project of an association boarding house was supported by Secretary Coleman, W. R. Castle, W. C. Weedon, A. B. Wood and H. C. Brown.

The directors had personally "dug up" \$20 to cover a deficiency in expenses of association work last year.

McCants Stewart gave a report of the Literary Club, and Mr. Coats of the gymnasium.

A baby carriage is for sale. See For Sale column.

Chamber of Commerce Scores the Court of Claims

Wednesday, April 4.

The Honolulu Chamber of Commerce was called together in its rooms on Mercantile street this afternoon for the purpose of considering the appointments which have been made to the Court of Claims, and realizing the importance of the matter to the business community of Honolulu, there was a full attendance. Those present were as follows: T. Rain Walker, Jas. G. Spencer, J. B. Atherton, W. E. Allen, J. P. Cooke, W. M. Giffard, E. F. Bishop, H. A. Parmelee, W. W. Hall, M. Phillips, C. M. Cooke, E. Auerbach, A. V. Gear, J. Bolte, F. M. Swanzy, E. C. Macfarlane, J. J. Waller, Geo. W. Smith, James Campbell, A. Fernandez, W. F. Lange and I. Rubenstein.

President T. Rain Walker called the meeting to order, stating its purpose and referring to informal communications from some of the members of the Chamber as being the cause of the gathering.

F. M. Swanzy took the floor. His first statement was that there is general dissatisfaction and discontent at the appointments to the Court of Claims for the settlement of claims in connection with the destruction of property in Chinatown. The impression of the people had been that the men constituting the Court would have been chosen from the ranks of those whose experience would have been of value from a commercial point of view to the Court. Certainly all the members of the Court as at present constituted, were not competent to judge of a great many matters that must necessarily come before them for settlement. Mr. Swanzy stated he wished it understood that the honesty and integrity of the members of the Court of Claims was not impugned. The Court should be made up of members of the commercial community. Of course, it could not be stated how far the action of the Chamber would go, as the members of Court had already taken the oath and advertisements bearing on the work had been inserted in the papers. However, it might not be too late yet.

A. V. Gear stated that, as a member of the Council of State, he would state that whatever the Chamber might do would certainly have considerable weight with that body. He had talked with a great many business men on the matter of the appointments on the Court of Claims but had not met a single business man who endorsed the appointments as a whole. Mr. Gear here dwelt on opinions recently brought up in the Council of State meetings. Among these was the expression to the effect that all claims should be thrown out on account of the inability of the government to pay. Another was the question, "When will the claims be paid?" A great many people were suffering and the Court of Claims, according to the plans of the Executive, could not authorize the payment of any claims but after the completion of its work some six months hence the matter could be referred to legislative authority and not only would a great amount of money be required to carry on the work of the Court but the business situation would not be relieved. The statement made by President Dole that three or four business men would be appointed on the Court, was on record. Mr. Gear here recommended the adoption of a resolution approving or disapproving of the make up of the Court of Claims and the manner of conducting the same.

J. B. Atherton—"So far as I have gone into the matter of the appointments on the Court of Claims, I have failed to find among the business men, a single one who has endorsed these. If there can be no change brought about in the personnel of the Court now the least said, the better." Continuing, Mr. Atherton said there was nothing against the individual character of the men of the Court but they were too young and had practically no experience whatever in matters to be brought before them. Whatever might be the make up of the Court, there should be no delay in the payment of claims awarded by the Court. The money should be paid over immediately after the decision. The Council of State should certainly have the power to insist on that point.

Mr. Atherton was heartily applauded as he took his seat.

At this point Mr. Swanzy introduced the following resolution:

Resolved, That the Court of Claims as at present constituted by appointments made by President Dole, does not meet with the approval or endorsement of this Chamber, which is disappointed that the commercial community of this city should be entirely misrepresented in that Court.

The Chamber fully recognizes the importance of the Court being presided over by some one of experience in the application and practice of law, but fails to understand the reasons which seem to have rendered it necessary that the whole Court should consist of members of the legal profession.

F. J. Lowrey asked for information in regard to the number of people authorized from Washington to constitute the Court of Claims. If no express number was stated, two others might be added to the number already appointed.

Here followed a general discussion among the members and then J. B. Atherton suggested the appointment of a committee of five to visit the Executive for the purpose of making a settlement to the satisfaction of the Chamber, if possible. In case it was legally decided that the money could not be paid immediately, representations to President McKinley for power

to pay the claims at once could be made by the Chamber.

A. B. Wood stated it was necessary, even if the claims could not be paid at the present time, that they should be gone into. Has the Court the right, when it has been so constituted, to authorize the payment of such vast sums of money? It might be contended that the Court has not been properly constituted and an investigation might lead to the throwing out of the decisions of the Court of Claims and the appointment of a new Court.

E. C. Macfarlane stated that the Court was not acceptable to the business community. It certainly did not meet the business interests of the community. Perhaps President Dole had made other tenders. Representative business men might have been approached and might have declined on the ground of being unable to spare the time. It should be first understood that business men will accept and that a change in the personnel of the Court can be brought about. The Court was certainly a weak one for the purpose. Mr. Atherton's suggestion of the appointment of a committee to wait on the Executive should be carried out. If not, then disapproval should be announced. The Court of Claims should be reorganized.

F. B. Auerbach suggested that the resolution be voted on and that a committee be then appointed to present the same to the Executive.

E. C. Macfarlane—"Perhaps the best and most courteous way is the easiest and a committee should first wait on the Executive, but I do not think the resolution introduced by Mr. Swanzy is strong enough. Every member of the Court should be a competent man with business experience, will all kinds of experience."

C. M. Cooke—"I am in favor of sending the resolution first. Then if the Executive desires communication with us, we can appoint a committee. To send a committee now might look like interference. The Chamber of Commerce should not put themselves on record in that way first. It has been stated that those in mercantile business are not able to weigh all the evidence in the way a lawyer can and for that reason, nothing but lawyers